

On March 30, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 22 bottles of Pain-I-Cure at Tampa, Fla., alleging that the article had been shipped by Cox & Simpkins, from Atlanta, Ga., on or about February 12, 1931, and had been transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of volatile oils including camphor and sassafras oil, capsicum oleoresin, alcohol (73 per cent by volume), and chloroform (4.6 grams per 100 milliliters).

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Pain-I-Cure The Pain Remedy * * * Relieves Neuralgic, Rheumatic, Nervous or Spasmodic Pains * * * Backache * * * Diarrhoea, Dysentery, * * * Swellings of all kinds, Stiff Neck, sore throat, sick stomach or sea sickness. In cases of Bad Coughs, * * * Pneumonia it affords quick relief;" (bottle) "Pain-I-Cure For all kinds of Pains, Neuralgic, Rheumatic, Nervous or Spasmodic, Relieves * * * Headache, Backache, Coughs * * * Lameness, Cramp Colic, Diarrhoea, Dysentery * * * all kinds of swellings." Misbranding was alleged for the further reason that the statement on the carton, "Alcohol 80%," was false and misleading. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article, since the declaration "Alcohol 80%" was incorrect.

On May 27, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18341. Misbranding of Fulton's renal compound. U. S. v. 133 Bottles of Fulton's Renal Compound. Default decree of destruction entered. (F. & D. No. 25383. I. S. No. 7460. S. No. 3650.)

Examination of a drug product, known as Fulton's renal compound, from the shipment herein described having shown that the bottle label and accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On December 2, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 133 bottles of the said Fulton's renal compound, remaining in the original unbroken packages at Vicksburg, Miss., alleging that the article had been shipped by the Hartig Drug Co., Dubuque, Iowa, on or about December 7, 1929, and had been transported from the State of Iowa into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of borax, sodium nitrate, extracts of plant drugs including uva ursi and a laxative drug, small proportions of salicylic acid and tannin, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the bottle label, "Guaranteed by John J. Fulton Co., under the food and drugs act June 30, 1906, number 2339," was false and misleading, since the article was not so guaranteed. Misbranding was alleged for the further reason that the following statements on the bottle label and in the accompanying circular were applied to the article knowingly and in wanton and reckless disregard of their truth or falsity so as to represent to purchasers, and create in the minds of purchasers, the impression and belief that the article contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof, whereas the article contained no ingredient or combination of ingredients capable of producing the effects contained: (Bottle) "Renal Compound for Bright's and Kidney Disease;" (circular) "Renal Compound for Bright's Dis-

ease * * * Where the heart is involved, with shortness of breath, meaning weakened heart, with uraemic tendency, it is best for a while to adhere to a more simple and easily digested diet, such as milk, fruit juices, etc., avoiding meat (with the exception of a little poultry), and being careful not to take too much farinaceous food, as this often causes gas that increases the asthmatic attacks which are quite common in Bright's Disease. After the symptoms are yielding to the Renal Compound, a more liberal use of the following diet is then allowed. * * * Directions. Mild Cases * * * More Advanced Cases * * * In Advanced or Extreme Cases. * * * Bright's Disease * * * Before this Company purchased of the late John J. Fulton the formulae for Fulton's Compound for Bright's Disease and Diabetes, tests were made to determine the efficiency. * * * Patients intending to pronounce judgment on this Compound from one or two bottles will confer a favor on us if they will not take it at all. In a great many cases of Bright's Disease no improvement will be noted before the Compound has been taken for at least a month. What we claim is that three months of the treatment usually shows such improvement that patients thereafter commonly continue the compound of their own volition. * * * Kidney Disease. It is a common belief that 'kidney trouble,' under whatever name, is a simple curable ailment, and that Bright's disease is inevitably fatal. Neither of these views is correct, for the simple reason that whether the renal inflammation shows albumen and is called 'Bright's Disease' or whether it does not and is called 'Nephritis,' or 'Kidney Trouble,' text books declare it to be incurable after it becomes chronic. According to some writers, the disease assumes the chronic form about the sixth month. In plain English, this means that inflammation of the kidneys has been considered incurable after the sixth month. Therefore kidney trouble in any form is not to be treated lightly. * * * Renal Compound approaches kidney disease from a new direction. * * * Instead of exciting the kidneys the motive of the Renal Compound is to reduce inflammation and stop degeneration. * * * The first results may be looked for in from two to three weeks (at times may show a little the first week) by a small increase in the urine and specific gravity, or a slight reduction in the albumen and casts, or a little better feeling physically, or a small reduction in the dropsy, if that symptom has been in evidence. Then again the patient may feel better without any early decrease in the albumen and casts. At times both albumen and sugar are found in the same case. In such cases Fulton's Diabetic Compound is advised where the sugar is largely in the ascendancy; and per contra, Fulton's Renal Compound when the albumen is found to predominate. * * * Fulton's Renal Compound * * * In a word, the physician gives Fulton's Renal Compound to relax the kidneys and treats the heart and other symptoms independently just as if he were not giving it. Skilled physicians who aid the Renal Compound when necessary by stimulating nutrition, treating the heart, increasing the eliminations where diuresis is insufficient or there are uraemic symptoms, treating the bowels, keeping the skin active, promoting digestion and prescribing such tonics, etc., as the case indicates, are getting results in many cases in which failure has been the rule. Where the dropsy is disturbing and does not respond quickly enough to the compound it can be distinctly aided and the dropsy reduced in most cases by treating the heart in connection with appropriate purgatives until the compound acts on the Renal inflammation. In fact, in some extreme cases tapping has been resorted to, a number having recovered after having been tapped several times. The Renal Compound has commonly gotten results alone, but aided by the resources of an experienced physician extreme cases often yield. Casts, albumen and dropsy do not bar recovery if the patient has a fair heart and recuperative power. * * * in extreme cases where there is uraemic vomiting (green in color) it is almost invariably followed by convulsions and calls for purgatives, sweats and lessening of the blood pressure with a high enema to clear the lower bowels and sedatives to quiet the nervous system. * * * As to sedatives, as the stomach is in a catarrhal condition due to uraemic poisoning, he frequently gives twenty grains of chloral per rectum with good results. * * * Fulton's Renal Compound is particularly for Bright's and kidney disease."

On May 21, 1931, no claimant having appeared for the property, a decree was entered adjudging the product to be subject to confiscation and forfeiture, and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*